

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL SHARPE : CRIMINAL NO. 02-771  
: :  
v. : :  
: :  
UNITED STATES OF AMERICA : :

**ORDER**

AND NOW, this 22nd day of June, 2010, upon consideration of the Independent Action Pursuant to Rule 60(d)(1) of the Federal Rules of Civil Procedure (Document No. 72) and it appearing that it is a successive petition for a writ of *habeas corpus*, it is ORDERED that the motion is **TRANSFERRED**, pursuant to 28 U.S.C. § 1631, to the Third Circuit Court of Appeals to determine whether the district court may consider the successive petition.

/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.